

SENATE NO. 23

PROPOSAL for a legislative amendment to the Constitution

RELATIVE TO EMERGENCY APPOINTMENTS OF ELECTED OFFICIALS

A majority of all the members elected to the Senate and of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of General Court and approved by the people at the state next following]:

ARTICLE OF AMENDMENT.

1 SECTION 1. The Constitution of the Commonwealth is hereby amended by striking out Article
2 LXXXIII of the Amendments to the Constitution, and inserting in place thereof the following
3 Article of Amendment:-

4 Article LXXXIII. The general court shall have full power and authority to provide for prompt and
5 temporary succession to the powers and duties of public offices, of whatever nature and whether
6 filled by election or appointment, the incumbents of which may become unavailable for carrying on
7 the powers and duties of such offices in periods of emergency resulting from disaster caused by
8 enemy or terrorist attack, and to adopt such other measures as may be necessary and proper for
9 insuring continuity of the government of the commonwealth and the governments of its political
10 subdivisions; except that, notwithstanding Article XXX of Part the First, if more than 1/3 of the
11 senate or more than 1/3 of the house membership is vacant as a result of enemy or terrorist attack,

12 the General Court shall fill the vacancies by appointment, and in making the appointments it shall
13 fill each vacancy with a person who is a resident of the district where the vacancy occurred and is of
14 the same political party as the person who held the office at the time the vacancy occurred. A
15 person so appointed shall serve until a successor is elected and qualified in accordance with the
16 provisions for filling vacancies in the general court.